

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PORTLAND DIVISION

UNITED STATES OF AMERICA for the use and  
benefit of CONSOLIDATED ELECTRICAL  
DISTRIBUTORS, INC., a Delaware corporation,  
dba CED POWER,

Plaintiff,

vs.

NOVA GROUP, INC., a California corporation;  
FEDERAL INSURANCE COMPANY, an Indiana  
corporation; and LIBERTY MUTUAL  
INSURANCE COMPANY, a Massachusetts  
corporation,

Defendants,

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UNITED STATES OF AMERICA for the use and  
benefit of CONSOLIDATED ELECTRICAL  
DISTRIBUTORS, INC., a Delaware corporation,  
dba CED POWER,

Third-Party Plaintiff,

vs.

INDUSTRIAL ELECTRIC MFG., INC., a  
suspended California entity; RESOURCE  
ENGINEERED PRODUCTS, LLC, an Oregon  
limited liability company, and THE NEW IEM,  
LLC, a California limited liability company,

Third-Party Defendants.

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Civil Action No. 3:18-cv-01905-SB

SUMMONS ON A THIRD-PARTY  
COMPLAINT

**SUMMONS ON A THIRD-PARTY COMPLAINT**

To: The New IEM, LLC  
% Edward Herman, Registered Agent  
45205 Warm Springs Blvd.  
Fremont, CA 94539

Plaintiff has filed a lawsuit against defendants Nova Group, Inc., Federal Insurance Company and Liberty Mutual Insurance Company. In the lawsuit, defendant Nova Group, Inc. has alleged one or more counterclaims against plaintiff. In response to the counterclaim(s), plaintiff, as third-party plaintiff, is making this claim against you to pay part or all of what plaintiff may owe to defendant Nova Group, Inc. on the counterclaim(s).

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12(a)(2) or (3) — you must serve on the plaintiff/third-party plaintiff and on the defendants an answer to the attached first amended third-party complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff/third-party plaintiff's attorney, whose name and address are:

Consolidated Electrical Distributors, Inc., dba CED Power  
% Douglas R. Hookland  
Scott♦Hookland LLP  
P.O. Box 23414  
Tigard, OR 97281

It must also be served on the defendants' attorneys, whose names and address are:

Nova Group, Inc., Federal Insurance Company and Liberty Mutual Insurance Company  
% Dan Gragg and Andrew MacKendrick  
Seifer, Yeats, Zwierzynski & Gragg, LLP  
121 SW Morrison St., Suite 1025  
Portland, OR 97204

It must also be served on the attorneys for third-party defendant Resource Engineered Products, LLC, whose names and address are:

Resource Engineered Products, LLC  
% Robert D. Scholz and Christopher B. Marks  
MacMillan, Scholz & Marks, P.C.  
900 SW Fifth Street, Suite 1800  
Portland, OR 97204

If you fail to respond, judgment by default will be entered against you for the relief demanded in the first amended third-party complaint. You also must file the answer or motion with the court and serve it on any other parties.

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A copy of defendant Nova Group, Inc.'s counterclaim (within the defendants' Answer, Defenses, and Counterclaim) is also attached. You may — but are not required to — respond to defendant Nova Group, Inc's counterclaim.

Date: 03/12/2019



**MARY L. MORAN, Clerk of Court**

**By: s/R. Schlatter, Deputy Clerk**